

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 96700/1031 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/542958</div>
INTERNATIONAL APPLICATION NO. PCT/US2004/001773	INTERNATIONAL FILING DATE January 23, 2004	PRIORITY DATE CLAIMED January 24, 2003
TITLE OF INVENTION USE OF MYCOBACTERIAL VACCINES IN CD4+ OR CD8+ LYMPHOCYTE-DEFICIENT MAMMALS		
APPLICANT(S) FOR DO/EO/US William R. Jacobs, Jr.; Tsungda Hsu; Stoyan Bardarov; Vasan Sambandamurthy; Sheldon Morris		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/542958		INTERNATIONAL APPLICATION NO. PCT/US2004/001773		ATTORNEY'S DOCKET NUMBER 96700/1031	
20. Other items or information: cover letter and return receipt postcard (enclosed)					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....	\$300		\$ 300	
22.	<input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))			\$ 200	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 0	
All other situations.....				\$200	
23.	<input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))			\$ 100	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....				\$400	
All other situations.....				\$500	
TOTAL OF 21, 22 and 23 =				600	
<input checked="" type="checkbox"/>	Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			\$ 250	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
115 - 100 =	15 /50 =	1	x \$250		
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims		20 - 20 =	0	x \$ 50	\$
Independent claims		2 - 3 =	0	x \$200	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 850	
<input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				
SUBTOTAL =				\$ 425	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 425	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 425	
				Amount to be refunded:	\$
				Amount to be charged	\$

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PTO-1390 (Rev. 07-2005)

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A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-1785. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Craig J. Arnold, Esq.
Amster, Rothstein & Ebenstein LLP
90 Park Avenue
New York, NY 10016

SIGNATURE

Elie H. Gendloff

NAME

44,704

REGISTRATION NUMBER

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Name: Elie H. Gendloff

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July 21, 2005

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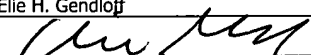
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Signature:	

Re: United States National Stage Filing

of PCT Application PCT/US2004/001773

Title: USE OF MYCOBACTERIAL VACCINES IN CD4⁺ OR CD8⁺ LYMPHOCYTE-DEFICIENT MAMMALS

Applicants: William R. Jacobs, Jr., Tsungda Hsu, Stoyan Bardarov, Vasan Sambandamurthy and Sheldon Morris

Our File: 96700/1031

Sir:

Pursuant to 35 U.S.C. § 371 and 37 C.F.R. § 1.495, enclosed please find an application for patent in the names of William R. Jacobs, Jr., Tsungda Hsu, Stoyan Bardarov, Vasan Sambandamurthy and Sheldon Morris, entitled "USE OF MYCOBACTERIAL VACCINES IN CD4⁺ OR CD8⁺ LYMPHOCYTE-DEFICIENT MAMMALS," for entering the national stage in the United States of America, comprising the following:

1. a "Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. § 371," Form PTO-1390 (3 pages);
2. a copy of PCT Application No. PCT/US2004/001773 as published under PCT Publication No. WO 2004/066928 A2, including cover page (1 page), specification (82 pages), claims (6 pages), figures (27 sheets);

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-2-

July 21, 2005

3. a Preliminary Amendment (5 pages);
4. an AR&E check in the amount of \$425 to cover the total filing fees;
and
5. a return receipt postcard.

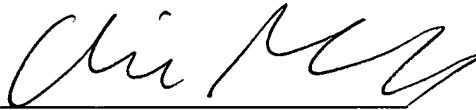
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Deposit Account No. 01-1785. A duplicate copy of this letter is enclosed.

Please also acknowledge receipt of the enclosed documents by stamping
the enclosed postcard and returning the same to us.

Respectfully submitted,

Amster, Rothstein & Ebenstein LLP
Attorneys for Applicants
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Dated: New York, New York
July 21, 2005

By: 
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Registration No. 44,704